

**Case Nos. 16-56057 (L), 16-56287**

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*In the*

**United States Court of Appeals**  
*for the*  
**Ninth Circuit**

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MICHAEL SKIDMORE, as Trustee for the Randy Craig Wolfe Trust,  
*Plaintiff-Appellant,*

v.

LED ZEPPELIN, JAMES PATRICK PAGE, ROBERT ANTHONY PLANT,  
JOHN PAUL JONES, SUPER HYPE PUBLISHING, INC.,  
WARNER MUSIC GROUP CORPORATION, WARNER CHAPPELL MUSIC, INC.,  
ATLANTIC RECORDING CORPORATION,  
and RHINO ENTERTAINMENT COMPANY,  
*Defendants-Appellees.*

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*Appeal from a Decision of the United States District Court for the Central District of California,  
Case No. 2:15-cv-03462-RGK-AGR · Honorable R. Gary Klausner*

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**MOTION FOR LEAVE TO FILE BRIEF *AMICI CURIAE***

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## **MOTION FOR LEAVE TO FILE BRIEF *AMICI CURIAE***

Amici Curiae are copyright law professors at schools throughout the United States. Amici have no personal interest in the outcome of this case, but have a professional interest in seeing that copyright law develops in a way that is logical and clear and that achieves the Constitutional objective of promoting the progress of science. A list of signatories is attached in Appendix A.

No one other than amici has funded or participated in the drafting of this brief.

This case presents an issue central to almost every copyright case: the proper standard for assessing infringement. That is an issue that this Court has not confronted en banc in decades, if ever. Having the input of some of the leading legal scholars in the country on the issue will assist the Court in crafting the correct legal standard and avoiding inadvertently enshrining imprecise language into the law of the Circuit for decades to come.

Petitioner Led Zeppelin has consented to the filing of this brief. Cross-petitioner Skidmore was contacted but has neither consented nor refused consent.

Dated: July 1, 2019

Respectfully submitted,

/s/ Mark A. Lemley

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**Appendix A**  
**List of Signatories<sup>1</sup>**

Professor John R. Allison  
McCombs Graduate School of Business  
University of Texas at Austin

Professor Annmarie Bridy  
University of Idaho School of Law

Professor Christopher Buccafusco  
Benjamin Cardozo School of Law, Yeshiva University

Professor Joseph Fishman  
Vanderbilt University Law School

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University of Richmond School of Law

Professor Paul J. Heald  
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Professor Stacey M. Lantagne  
University of Mississippi School of Law

Professor Mark A. Lemley  
Stanford Law School

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<sup>1</sup> All signatories sign in their individual capacity. Institutions for identification purposes only.

Professor Yvette Joy Liebesman  
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Professor Jonathan S. Masur  
University of Chicago School of Law

Professor Mark P. McKenna  
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Professor Michael J. Meurer  
Boston University School of Law

Professor Tyler T. Ochoa  
Santa Clara University School of Law

Professor Matthew Sag  
Loyola University-Chicago School of Law

Professor Pamela Samuelson  
Berkeley Law School

Professor Joshua Sarnoff  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 1, 2019, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

/s/ Mark A. Lemley  
Mark A. Lemley